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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas L. Del Vecchio
Application No.: 10/612,316
Filed: 07/02/2003
Title: Motor Control for Slide-Out Room in Mobile Living Quarters
Group/Art Unit: 2837
Examiner: Karen Masih
Attorney Docket No.: 252-002-001 Dicor

Mail Stop Non-Fee Amendment
Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Madam:

This is in response to the office action of August 6, 2004

Please amend the claims as stated in the attached Claims Amendment sheet.

Claims 1 - 3 are cancelled reserving the right to reinstate them in a continuing application.

Claims 4 - 7 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Haynes in view of Brice (415), Franke et al (734), and Millis et al (643). Reconsideration of this rejection is respectfully requested.

With regard to Claim 4, the examiner apparently is using Haynes in view of Brice given that Brice is the only patent cited with a receiver and a transmitter. Haynes is not used to position a slide-out room of the recreational vehicle, but used to position power-driven, telescoping rods which function as parking guides. Thus, any teaching in Haynes in view of Brice would be to use a remote transmitter to extend and retract the power-driven, telescoping rods; not the slide-out room as in the subject application.

With regard to Claim 4 and 5, Brice is also non-analogous art. No one having ordinary skill in the art would consider combining the features of a baby walker in Brice with power-driven, telescoping rods of Haynes. These devices do not deal with the same problems and they are in completely non-related fields. One having ordinary skill in the art would not think of combining Brice and Haynes; but if they did, it would be to control the position of the power-driven, telescoping rods, not the slide-out room.

Enclosed is a copy of Fago et al, patent number 6,142,501. Fago deals with a remote control device to position a recreational vehicle jack. While a remote control is used in Fago, it is used for an entirely differently purpose than that used by the applicant.

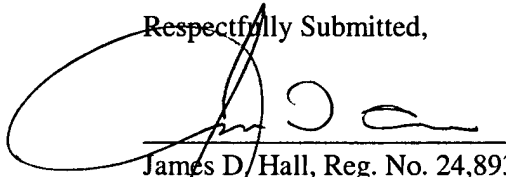
With regard to Claims 4 and 5, Franke et al discloses a track switch. This use is non-analogous. There is no applicability of the Franke et al reference in the use of extending or retracting the telescoping, power driven rods in Haynes, much less alone the slide-out room of the subject application.

With regard to claim 6, Millis et al discloses a bypass and cutoff switch. This by-pass switch senses water pressure and the by-pass and cutoff switch are utilized to shut down a pump circulating water between a swimming pool and a filter in response to a predetermined water pressure. As such, the use of this bypass switch is entirely different from the subject application. In the application, the by-pass switch is manually operated. In Millis et al, the by-pass switch operates in response to high or low water pressure relative to a pre-determined value. Therefore, it is not obvious to one having ordinary skill in the art to substitute the by-pass switch from Millis et al into the control of a slide-out room of a recreational vehicle.

With regard to Claim 7, Millis et al discloses a cutoff switch. In Millis et al the cutoff switch is a part of the means to shut down a pump which is circulating water between a swimming pool and a filter in response to a predetermined water pressure. As such, the use of this cutoff switch is entirely different from the application. In the subject application, the cutoff switch is manually operated and is a safety means to prevent a slide-out room in a recreational vehicle from shifting position. In Millis et al, the cutoff switch operates in response to high or low water pressure relative to a pre-determined value and thus has no application as a safety device to prevent a slide-out room from shifting position. Thus, one having ordinary skill in the art would not be inclined to substitute the cutoff switch from Millis et al into the control of a slide-out room of a recreational vehicle in the application.

In summary, claims 4 - 7 are not rendered obvious by the references of record.

Respectfully Submitted,

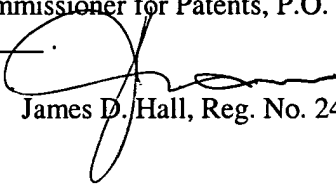
A handwritten signature in black ink, appearing to read "James D. Hall", is written over a horizontal line. The signature is stylized with a large loop on the left and a trailing flourish on the right.

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I hereby certify that this correspondence is being deposited in the U. S. Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 5 Nov. 04.


James D. Hall, Reg. No. 24,893